

BOARD OF DIRECTORS
AIR POLLUTION CONTROL DISTRICT
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

Wednesday, May 31, 2006

The Air Pollution Control District Board of the County of San Luis Obispo, met in regular session at 9 a.m..

PRESENT: Directors K.H. “Katcho” Achadjian, Joe Costello, John Ewan, Jerry Lenthall, Harry L. Ovitt,
James R. Patterson and Chairperson Tom O’Malley

ABSENT: Directors Shirley Bianchi, David Ekbom, James Heggarty, Bill Peirce and Mary Ann Reiss

SUM AGN

1 A-1 This is the time set for members of the public wishing to address the Board on items set on the
thru Consent Agenda.
A-7

Chairperson O’Malley: opens the floor to public comment without response.

Thereafter, on motion of Director Achadjian, seconded by Director Ovitt and on the follow roll call vote:

AYES: Directors Achadjian, Ovitt, Costello, Ewan, Lenthall, Patterson, Chairperson
O’Malley

NOES: None

ABSENT: Directors Bianchi, Ekbom, Heggarty, Peirce, Reiss

Consent Agenda Items A-1 through A-7 are approved as recommended by the Air Pollution Control Officer.

Consent Agenda Items A-1 through A-7 are on file in the Office of the County Clerk-Recorder and are available for public inspection.

A-1 Minutes of the March 22, 2006 Meeting, **Approved.**

A-2 **RESOLUTION NO. 2006-5**, resolution of the Air Pollution Control Board authorizing continued District Expenditures in Fiscal Year 2006-2007, **Adopted.**

A-3 District Financial Report: with 88% of the fiscal year elapsed the District has expended 81% of its appropriations and received 95% of anticipated revenue, **Received and Filed.**

A-4 Appointments and Reappointments to the District Hearing Boards, **Approved.**

A-5 **RESOLUTION NO. 2006-6**, resolution of the Air Pollution Control Board approving District participation in the 2005-2006 California Lower Emission School Bus Retrofit Program, **Adopted.**

A-6 Public outreach update on activities performed since the last APCD Board meeting on March 22, 2006, **Received and Filed.**

A-7 **RESOLUTION NO. 2006-7**, resolution of the Air Pollution Control Board concerning Regulation of Large Confined Animal Facilities, **Adopted.**

2 PC This is the time set for members of the public wishing to address the Board on matters other than scheduled items.

Chairperson O’Malley: opens the floor to public comment.

Mr. Eric Greening: thanks Mr. O'Malley, as Atascadero Mayor, for signing the U.S. Mayor Climate Protection Agreement and urges APCD staff to help Atascadero meet the future challenges of this agreement; discusses the workshop with Integrated Waste Management regarding construction material recycling; speaks to the E.G. Lewis vision for clean transportation. **No action taken.**

3 AP This is the time set for the Air Pollution Control Officer's (APCO) Report.

Mr. Larry Allen: APCO, presents an update on proposed legislation; outlines the efforts to improve the dust issue near Cuyama School; speaks to the development of performance measures to ensure the correct order of priorities for Strategic Planning items. **No action taken.**

4 B-1 This is the time set for hearing to accept public comment and review of the Proposed District Budget for Fiscal Year 2006-2007.

Mr. Larry Allen: APCO, presents the staff report; compliments Mr. Paul Allen on his work regarding the budget; outlines the budget approach; speaks to the fiscal plan implementation; highlights the reduction in expenditures; addresses the development of special projects and programs; discusses expenditures and revenue sources.

Mr. Paul Allen: APCD Fiscal Manager, addresses the process to determine the County's overhead charges; expresses his concern with the computation process for the overhead charges; speaks to the fund for green waste chipping yard in South County.

No one appearing, thereafter, on motion of Director Ovitt, seconded by Director Ewan, with Directors Bianchi, Ekbom, Heggarty, Peirce and Reiss being absent, motion carries and the Board continues the hearing to July 26, 2006 at 9:00 a.m..

5 B-2 This is the time set for hearing to introduce proposed revisions to District Rule 302, Schedule of Fees.

Mr. Gary Willey: APCD, presents the staff report and recommendations.

No one appearing, thereafter, on motion of Director Ewan, seconded by Director Patterson, with Directors Bianchi, Ekbom, Heggarty, Peirce and Reiss being absent, motion carries and the Board continues the hearing regarding the rule revision to July 26, 2006 at 9:00 a.m. for final action.

6 B-3 This is the time set for hearing to consider amendments to District Rule 403, Particulate Matter Emission Standards and adoption of Rule 440, Petroleum Coke Calcining and Storage Operations.

Mr. Gary Willey: APCD, presents the staff report, provides the background on Rule 440; outlines the proposed regulation changes; discusses the significant reduction in toxic emissions and the cost effectiveness; states the ConocoPhillips Refinery plans to shutdown the calciner instead of complying with controls without loss of jobs; urges the Board to approve the proposed amendments to the Rules and Regulations.

Mr. James Anderson: ConocoPhillips, expresses their support of the rule; addresses concerns with the transportation of "green" coke.

Thereafter, on motion of Director Achadjian, seconded by Director Costello and on the follow roll call vote:

AYES: Directors Achadjian, Costello, Ewan, Lenthall, Ovitt, Patterson, Chairperson O'Malley

NOES: None

ABSENT: Directors Bianchi, Ekbom, Heggarty, Peirce, Reiss

RESOLUTION NO. 2006-8, resolution of the Air Pollution Control Board amending the Rules and Regulations of the San Luis Obispo County Air Pollution Control District by

revising Rule 403, Particulate Matter Emission Standards and adopting Rule 440, Petroleum Coke Calcining and Storage Operations, adopted.

- 7 B-4 This is the time set for consideration of a request for authorization to implement Heavy Duty Diesel Emission Reduction Program using the ConocoPhillips Mitigation Funds.

Ms. Melissa Guise: APCD, presents the staff report; highlights the funding source background and area; outlines the funding requests; and presents the funding recommendations.

Director Achadjian: expresses his concern that the funds for Clean Fuels and Waste Connections stay within the local jurisdiction; states he wants to ensure they are staying and will be able to service the South County area.

Director Costello: questions the number of compressed natural gas (CNG) trucks in use and the location of fueling sites.

Mr. Jerry Ross: City of Grover Beach, expresses their support for this item and urges the Board's support.

Mr. Tom Martin: South County Sanitation/Clean Fuels and Waste Connections, discusses the service areas the trucks will be utilized for; speaks to the need for a fueling station in the South County; states the funds will be used to purchase 11 trucks and training for the mechanics.

Thereafter, on motion of Director Ovitt, seconded by Director Patterson and on the follow roll call vote:

AYES: Directors Ovitt, Patterson, Achadjian, Costello, Ewan, Lenthall, Chairperson O'Malley

NOES: None

ABSENT: Directors Bianchi, Ekbom, Heggarty, Peirce, Reiss

the Board approves and reallocates \$75,000 from the Portable Equipment Repowers/Replacements Category to the Heavy Duty Diesel Category; the project funding recommendations of \$475,000 as presented in Attachment A of the staff report dated May 31, 2006 and the budget adjustment are approved; and the Board authorizes the APCO to prepare and implement funding contracts with the approved funding recipients.

- 8 B-5 This is the time set for approval of Project selection and Funding for the 2005/2007 MOVER Program.

Mr. Alex Bugrov: APCD, presents the staff report.

(DIRECTOR HARRY L. OVITT IS NOW ABSENT AND THE BOARD NO LONGER HAS A QUORUM - STAFF CONTINUES WITH THEIR PRESENTATION.)

Mr. Bugrov: discusses the programs history, fundable categories and the grant cycle.

(DIRECTOR HARRY L. OVITT IS NOW PRESENT AND THE BOARD NOW HAS A QUORUM.)

Mr. Bugrov: outlines recent program changes; addresses the current grant cycle; discusses the types of projects; speaks to the evaluation criteria process; presents the Project Performance Summary and funding recommendations.

Ms. Sandi Sigurdson: San Luis Symphony Executive Director, highlights the use of buses at symphony events; presents letters of support to the Board; urges the Board to reconsider funding for the Symphony Shuttle.

Ms. Lisa Quinn: Regional Rideshare Program Coordinator, speaks to the commuter match data base and customer management tool; urges the Board to support the staff recommendation for funding; addresses the differences in the amount requested versus the staff recommendation.

Mr. Adam Fukushima: San Luis Obispo County Bicycle Coalition, thanks the Board for their support; speaks to the success of the Bicycle Purchase Subsidy Program.

Ms. Norma Schroeder: Lucia Mar Unified School District, addresses the reasons for their request for funds to repower Crown School Buses; thanks the Board for their support.

Mr. Jerry Sitton: Atascadero Unified School District, speaks to the positive aspects of Crown Buses; outlines the reasons for the request for the diesel particulate filter cleaning station; thanks the Board for their support.

Mr. Eric Greening: speaks to the need for congestion reduction to be considered in the evaluation process; expresses his support for the San Luis Symphony's request and the comments to be made by Mr. Wolf.

Mr. Bob Wolf: ECOSLO Executive Director, thanks the Board for their support; speaks to the green pages project.

A motion by Chairperson O'Malley, seconded by Director Lenthall to fund the request for the San Luis Obispo Symphony, is discussed.

Mr. Bugrov: makes a recommendation that \$2,500 be pulled from the Hoadley Design/Peck Rack, for public bike racks, and Union Asphalt, Inc., for earthmover repower.

Director Patterson: expresses his concern regarding pulling funding from projects that ranked higher than the Symphony project.

Director Ewan: questions how the Friends of Hearst Castle got such a high ranking; expresses his concern that the project is not affecting clean air locally.

The motion maker and second amend their motion to adopt staff recommendations and to reduce the funding for the Hoadley Design/Peak Rack and Union Asphalt, Inc. by \$2,500 each, with said amended motion being discussed.

Director Ewan: expresses his objection for reduction of the bike rack project; would like to see the funding taking from the Friends of Hearst Castle.

The motion maker and second amend their motion to reduce funding from Friends of Hearst Castle in place of Hoadley Design/Peak Rack, with said amended motion being discussed.

The motion maker and second amend their motion to reduce the funding for Union Asphalt, Inc. by \$5,000 and the \$5,000 be applied to the San Luis Obispo Symphony project.

Matter is fully discussed and thereafter, on motion of Chairperson O'Malley, seconded by Director Lenthall and on the follow roll call vote:

AYES: Directors Chairperson O'Malley, Lenthall, Achadjian, Costello, Ewan, Ovitt, Patterson

NOES: None

ABSENT: Directors Bianchi, Ekbom, Heggarty, Peirce, Reiss

the Board reduces the funding for Union Asphalt, Inc. by \$5,000 and the \$5,000 is applied to the San Luis Obispo Symphony project; the MOVER Grant Cycle for 2005-07 is approved as amended by this Board and as outlined in the staff report dated May 31, 2006 in the amount of \$465,000. Further, the budget adjustment is approved and the APCO is directed to prepare and implement funding contracts with the approved funding recipients.

Director Ewan: suggests adding to the evaluation criteria, the projects impact on air quality in San Luis Obispo County, with the Board members agreeing.

9 C-1 This is the time set for consideration of the goals and policies designed to incorporate environmental justice considerations in District programs and operations.

Mr. Larry Allen: APCO, presents the staff report outlining the goals and policies.

Director Patterson: expresses his appreciation of the APCD efforts; asks that Board members to be invited to training days.

No one appearing, and thereafter, on motion of Director Patterson, seconded by Director Ewan, with Directors Bianchi, Ekbom, Heggarty, Peirce and Reiss being absent, motion carries and the Board adopts the proposed Goals and Implementation Policies for addressing environmental justice presented in Attachment 1 of the staff report dated May 31, 2006.

10 BC This is the time set for Board member items.

Chairperson O'Malley: opens the floor to comments.

Director Ewan: discusses the flyer regarding "Climate Change and Your Vehicle"; suggests changing the language in the fourth bullet regarding "Shop by phone, mail or internet." to not negatively impact local businesses. **No action taken.**

On motion duly made and unanimously carried, the Air Pollution Control Board of the County of San Luis Obispo is now adjourned.

Chairperson, Air Pollution Control District Board

ATTEST:

JULIE L. RODEWALD, County Clerk-Recorder
and Ex-Officio Clerk of the Air Pollution Control District Board

By: _____
Deputy Clerk-Recorder

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